

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
MAY 4, 2004
7:00 P.M.**

1. The meeting was called to order at 7:00 p.m. Declaration of a quorum present was given. The Flag salute was lead by Chief Rob Carter and the Invocation was given by Attorney Luke Simms.

ROLL CALL

PRESENT

Mayor Marietta Tardibono
Councilman Justin Frisbie
Councilwoman Leslie Owens
Councilman Jimmy Alexander
Councilman Mike Gossman
Councilman Bob Wehba
Councilman Barry Curl
Councilwoman Nancy Olson

ABSENT

Vice-Mayor Tom Smith

DEPARTMENT HEADS AND CONSULTANTS PRESENT

Pamela McDowell-Ramirez, City Clerk
Roger Patty, Police Chief
Rob Carter, Acting Fire Chief
Luke Simms, City Attorney
Mike Turman, City Inspector
Scott Barrett, City Engineer
Wiley Rice Jr, City Planner

2. Questions and Comments from Warr Acres Residents.

John Webster-stated that the Website was way out of date and needed to be caught up.

The Mayor invited everyone out to the Redhawks game on Saturday, May 22nd and told them if they would like to attend to contact Chief Patty about purchasing discount tickets. She also announced that on Thursday night May 6th, Tom Colburn, who is running for Senate, would hold a town hall meeting in the council chambers at 6:00 pm and all residents were invited.

3. **CONSENT DOCKET:** (individual items may be deleted from the consent docket for discussion and action under #4.
 - A. Approval of Minutes – Regular City Council Meetings of April 6, 2004 and April 20, 2004 and Special Meeting of April 26, 2004. ****

- B. Approval of Expenditures – General Fund \$ 21,469.14
 Street & Alley \$ 4,619.03
- C. Approval of Proposed Expenditures for May 2004. *****
- D. Sales Tax History Report. *****
- E. Receive Planning Commission minutes for Special meeting of March 30, 2004 and Regular meeting of April 13, 2004. (Not yet approved by the Planning Commission) *****

Councilwoman Owens asked that the minutes from the April 26th meeting be pulled for discussion.

Motion by Frisbie, second by Olson to approve the remaining items on the consent docket. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

- 4. Discussion and possible action on items removed from the consent docket.

Councilwoman Owens stated that she did not agree with the way the motion on item #4 was worded. The Clerk stated that since there was so much confusion the day after the meeting the additional information included after the motion was for clarification. There had been several comments made after the motion and some felt that these comments were in the motion so in an attempt to clarify the conversation after the motion was included in the minutes notating it was after the motion.

Motion by Frisbie, second by Curl to approve the Minutes of April 26th. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

- 5. Discussion and possible action on finding a CPA firm to Audit the city.

Motion by Wehba, second by Frisbie to continue this item to the next meeting so that the staff can review all the proposals and make a recommendation. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

- 6. Receive reports from Staff: Police, Fire, City Clerk, City Inspector, Street, Sanitation, Sewer, City Engineer, City Planner.

Chief Patty-stated he is trying to keep overtime cost down in Public Safety by using officer, himself and the lowest paid dispatchers to cover. He stated that he had checked into the metro pay for dispatchers and found that the city was in the ball park on pay. He stated that the dispatcher that left was given an increase in pay with Bethany because of his experience.

Clerk Ramirez-stated that she had handed out a new sales tax report because the first one did not total correctly at the bottom of the sheet.

Inspector Turman-stated that he had finished paperwork for ISO and had completed an interview with the ISO representative.

Engineer Barrett-stated the survey was completed at 45th and he was waiting for the file to be delivered so he could review it. Councilman Wehba stated that he had many concerns with the Ann Arbor project and they needed to get the addressed before the work was completed. Mr. Barrett stated that there will be a final inspection done and some of the concerns will be taken care of at that time, but it was a good idea to address the problems now.

7. Discussion and possible action on bid specs for the purchase of a new television and camera system and also for a new sound system for the Council Chambers.
Owens

Councilwoman Owens stated that she had spoken with Deputy Chief Markstone and Chief Carter and a request would be made for a bidders meeting in the future.

8. Discussion and possible action on proceeding with the proper process on the MacArthur Project.

Scott Barrett stated that two of the parcels had been secured and a meeting was set for with the Warr Foundation on the other parcels. He stated that once all were secured that the letters to ODOT could be mailed and letters to the utility companies and to the residents would follow. He stated that the utility companies can all have the utilities moved in 120 days. The only problems he saw was if the Warr Foundation were not agree on the parcels and the potential strike at SBC. This could cause some delay.

The question was asked if the letters are sent can the project still be stopped if the city does not have the money. He told them that they could rescind later if there is no money.

9. Discussion, clarification and possible action regarding the \$1000 bonuses for all employees granted at the April 26, 2004 Special Council Meeting. *Mayor*

John Webster told the council that bonuses could not be given. The Mayor stated that there was confusion after the vote on April 26th and placed this item back on the agenda for clarification. Councilman Gossman stated that he thought the bonuses were to replace the merits and for those who had received good evaluations and met their one year anniversary. Councilman Frisbie stated that he thought it was only for those who met the criteria for the current fiscal year. Councilwoman Owens stated that the bonus was to replace the merit. The Mayor stated that the item to give the merit was voted down. Councilmen Frisbie and Wehba stated that what they wanted to do was to wait and take a look at the budget before making a decision and Councilman Frisbie stated that if the money was there he had no problem with the employees receiving a merit. The Mayor stated that she did not understand and was sorry. She also stated that when she offered the alternative plan she was considering all employees that had been there at least 6 months who have passed their probationary period, because they are

considered full-time and are then provided insurance and other benefits. She did not want it based on an evaluation she wanted it to be given like a turkey at Christmas, a gift. Councilman Frisbie stated that he believed the merit was being replaced with the bonus. Councilwoman Owens said that was correct and it would be \$34,000 for those eligible. Councilwoman Olson stated that it would not be fair to give it to those who had not met the requirements. Attorney Simms stated that it would not be a gift it would be taxed and in lieu of a raise. John Webster stated that the council has a duty to protect the public funds and they can not give the funds away. The money needs to be used for streets, curbing and projects like that. He also stated that evaluations were not for raises they were to be used for promotions. He stated that if raises were not given across the board then they would be discriminating.

Motion by Wehba, second by Frisbie to rescind the vote from April 26th on the bonuses and continue this item to after the budget meeting to see if funds are available for FY 03-04. Poll vote: Alexander, nay; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Olson, yea; and Tardibono, nay.

Motion Passed.

10. Discussion and possible action on Resolution #397 to eliminate the second council meeting of each month. *Curl*

Councilman Curl stated that he is not the only one wanting to go back to one meeting. He stated that it is causing too much work and overtime. Councilman Wehba stated that the council would then need extra meetings to get things taken care of. Mayor Tardibono stated that only one special meeting had been called in the last six months and the second meeting was to help speed along Planning Commission action. She also stated that so much had been accomplished because of the second meeting. Councilman Wehba stated that they were not getting business done in one meeting.

Motion by Owens, second by Curl to approve Resolution #397. Poll vote: Alexander, nay; Owens, yea; Gossman, yea; Wehba, nay; Frisbie, yea; Curl, yea; Olson, nay; and Tardibono, nay.

Motion Failed.

11. Questions and comments from Council members.

Councilwoman Owens-thanked the residents for attending the Town Hall meeting and stated that they received good feedback.

Councilman Wehba-asked that on the next agenda they review the pet license ordinance.

Councilman Frisbie-thanked all the council that stayed for the full Town Hall meeting.

Mayor Tardibono-thanked everyone for attending the Town Hall meeting.

12. Any Old or New Business (“New Business” is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”)).

None.

13. Adjournment.

The meeting was adjourned at 8:08 p.m. by acclamation.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
MAY 4, 2004
7:00 p.m.**

1. The meeting was called to order at 8:10 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairwoman Marietta Tardibono
Trustee Justin Frisbie
Trustee Leslie Owens
Trustee Jimmy Alexander
Trustee Mike Gossman
Trustee Bob Wehba
Trustee Barry Curl
Trustee Nancy Olson

ABSENT

Vice-Chair Tom Smith

2. Approve the minutes of the Regular Warr Acres Public Works Authority Meeting of April 6, 2004. ****

Motion by Frisbie, second by Gossman to approve the minutes. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$57,059.18 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of April, 2004. ****

Motion by Owens, second by Frisbie to approve the payment of the claim. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

Trustee Wehba stated that at the Bethany/Warr Acres meeting the board was told that there was a serious problem with toxins and once again the minnows and flees were killed. This is a very costly problem and asked for everyone to pay attention and not dump anything in the system.

4. Adjournment.

The meeting was adjourned at 8:12 p.m. by acclamation.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

**MEETING OF THE TRUSTEES OF THE WARR ACRES
ECONOMIC DEVELOPMENT AUTHORITY
5930 NW 49TH STREET,
WARR ACRES, OKLAHOMA
TUESDAY
MAY 4, 2004
7:00 p.m.**

1. The meeting was called to order at 8:13 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairwoman Marietta Tardibono
Trustee Justin Frisbie
Trustee Leslie Owens
Trustee Jimmy Alexander
Trustee Mike Gossman
Trustee Bob Wehba
Trustee Barry Curl
Trustee Nancy Olson

ABSENT

Vice-Chair Tom Smith

2. Approval of Minutes of the Regular Meeting of Economic Development Authority of April 6, 2004 and Special meeting of April 15, 2004. ****

Trustee Wehba stepped out at 8:13 p.m.

Motion by Frisbie, second by Gossman to approve the minutes. Poll vote: Alexander, yea; Owens, yea; Gossman, yea; Frisbie, yea; Curl, yea; Olson, yea; and Tardibono, yea.

Motion Passed Unanimously.

3. Discussion and possible action on Resolution #1-04 moving this meeting to 7:00 p.m. on the third Tuesday of each month.

Trustee Wehba returned at 8:15 p.m.

The Mayor stated that she would like to have this meeting held on the second Thursday of the month. Councilman Frisbie stated that now she wanted to add even more meetings. Councilman Alexander stated that maybe the employees could just attend the first meeting of the month. The Mayor stated that they needed to be at all meetings in case there are questions.

Motion by Frisbie, second by Webha to continue to the next meeting and to change the time on the Resolution. Poll vote: Alexander, yea; Owens, abstain; Gossman, yea; Wehba, yea; Frisbie, yea; Curl, abstain; Olson, yea; and Tardibono, yea.

Motion Passed.

4. Discussion and possible action on setting policies towards businesses and possibly entering into Executive Session as allowed under 25 O.S. Supp 307 (10), All nonprofit foundations, boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces, or study group supported in whole or part by public funds, or entrusted with the expenditure of public funds for purposes of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within their jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business.

No need at this point.

5. Adjournment.

The meeting was adjourned at 8:25 p.m. by acclamation.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk